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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/809,392	03/26/2004	Chang-Hun Lee	PNK-0297	7554
23413	7590	05/23/2007	EXAMINER	
CANTOR COLBURN, LLP 55 GRIFFIN ROAD SOUTH BLOOMFIELD, CT 06002			SCHECHTER, ANDREW M	
			ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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**Advisory Action
Before the Filing of an Appeal Brief**

Application No. 10/809,392	Applicant(s) LEE ET AL.	
Examiner Andrew Schechter	Art Unit 2871	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 16 May 2007 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☐ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: _____.
Claim(s) objected to: _____.
Claim(s) rejected: 1, 2, 4, 6, 8 and 9.
Claim(s) withdrawn from consideration: 3 and 10.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). _____.
13. ☐ Other: _____.

Continuation of 11. does NOT place the application in condition for allowance because:

The applicant argues [p. 5] that Suzuki specifically teaches contrary to the claimed invention (presumably in that Suzuki does not have a curved electrode). This is not at all persuasive. While Suzuki's figures show only straight electrodes, there is no explicit "teaching away" in Suzuki that curved electrodes should not be used. In fact the opposite is true: Suzuki explicitly states that the electrodes may be curved [col. 8, lines 55-56]. Thus, it is entirely reasonable to modify Suzuki by making its electrodes curved as is done in the device of Ono.

The applicant argues [p. 5] that the dimensions of Suzuki's pixel being 110 x 330 microns are irrelevant for a curved electrode. This is not at all persuasive. The modification of Suzuki in view of Ono, making the electrodes curved, affects the shape of the pixel electrodes, not the size of the pixel region. It is entirely reasonable to expect the device of Suzuki in view of Ono to have curved electrodes in a 110 x 330 micron pixel region.

The applicant argues [pp. 5-6] that the Suzuki, Ono, and Mori would not give one of ordinary skill in the art any suggestion or motivation to have the pitch of the curvature of the electrodes larger than about 50 microns. This is not at all persuasive. As noted above, modifying Suzuki in view of Ono would not lead one of ordinary skill to radically change the size of the pixel region; as stated in the rejection, the pitch of the curving of the electrodes in Ono is the vertical length of the pixel region; therefore the pitch of the curving of the electrodes in the device of Suzuki in view of Ono would be (much) larger than 50 microns. [As an aside, the examiner notes that in order to be outside of the scope of the claims, the electrodes would have to curve back-and-forth 330 microns / 50 microns = about 6 times, from the top to bottom of each pixel, instead of once as shown in Ono; there is certainly nothing in the prior art which suggests that Suzuki in view of Ono would have such serpentine electrodes.]

The applicant argues [p. 7] that the present invention is "specifically defined and claimed to reduce texture due to the distortion of an electric field" while "the disclosed pixel dimensions of Suzuki are irrelevant for reducing the texture" and "the curved electrode disclosed by Ono relates to nothing of reducing the texture". This is not at all persuasive. First, such a limitation does not appear in the claims. Second, the invention of Suzuki does in fact appear to be directed at the same concept of "reducing texture due to a distortion of an electric field", despite this being unrelated to its "disclosed pixel dimensions". Therefore, even were this limitation recited in the claims in some way, it does not appear that this would distinguish over the device of Suzuki in view of Ono.

The previous rejections are therefore maintained.



Andrew Schechter
Primary Examiner
Technology Center 2800
21 May 2007